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PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

|   |  |   |  |
|---|--|---|--|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br><i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i> |  | Attorney Docket No. <b>019031-000010</b>      |  |
|   |  | First Inventor <b>Michael D. Ruff</b>         |  |
|   |  | Title <b>Coated Dibasic Calcium Phosphat</b>  |  |
|   |  | Express Mail Label No. <b>EV 334192413 US</b> |  |

15535 U.S. PTO  
10/643319  
08/19/03

|  |  |  |  |
|--|--|--|--|
| <b>APPLICATION ELEMENTS</b><br><br><b>SEE MPEP chapter 600 concerning utility patent application contents.</b> |  | <b>ADDRESS TO:</b> Mail Stop: Patent Application<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 |  |
|--|--|--|--|

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*

2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages: 35 ]  
*(preferred arrangement set forth below)*  
 -Descriptive title of the invention  
 -Cross Reference to Related Applications  
 -Statement Regarding Fed sponsored R & D  
 -Reference to sequence listing, a table, or a computer program listing appendix  
 -Background of the Invention  
 -Brief Summary of the Invention  
 -Brief Description of the Drawings *(if filed)*  
 -Detailed Description  
 -Claim(s)  
 -Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Pages: 26]

5. Oath or Declaration [Total Pages: 2 ]  
 a. ☒ Newly executed (original or copy)  
 b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*  
 i. ☐ **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s)  
 Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*

8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*  
 a. ☐ Computer Readable Form (CRF)  
 b. Specification Sequence Listing on:  
     i. ☐ CD-ROM or CD-R (2 copies); or  
     ii. ☐ paper  
 c. ☐ Statements verifying identity of above copies

| ACCOMPANYING APPLICATION PARTS  |  |
|---|--|
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & documents(s))<br>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br><i>(when there is an assignee)</i><br>11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i><br>12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations<br>Statement (IDS)/PTO-1449<br>13. <input type="checkbox"/> Preliminary Amendment<br>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i><br>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i><br>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122<br>(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.<br>17. <input checked="" type="checkbox"/> Other: Check in the amount of \$942.00; and Express Mail Certificate. |  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.:

Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

| 19. CORRESPONDENCE ADDRESS |                                     |           |                                   |                 |              |
|----------------------------|-------------------------------------|-----------|-----------------------------------|-----------------|--------------|
| Name                       | JENNIFER L. SKORD MOORE & VAN ALLEN |           |                                   |                 |              |
| Address                    | 2200 WEST MAIN STREET, SUITE 800    |           |                                   |                 |              |
| City                       | DURHAM                              | State     | NC                                | Zip Code        | 27705        |
| Country                    | US                                  | Telephone | 919-286-8000                      | Fax             | 919-416-8324 |
| Name                       | Jennifer L. Skord                   |           | Registration No. (Attorney/Agent) |                 | 30,687       |
| Signature                  | <i>Jennifer L. Skord</i>            |           | Date                              | August 19, 2003 |              |

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

## Complete if Known

Application Number

Filing Date

First Named Inventor

Michael D. Ruff

Examiner Name

Group Art Unit

Attorney Docket No.

019031-000010

TOTAL AMOUNT OF PAYMENT

(\$942.00)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit Account Number  
13-4365

 Deposit Account Name  
Moore & Van Allen PLLC

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 750      | 201          | 375      | Utility filing fee     | 375.00   |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 520      | 207          | 260      | Plant filing fee       |          |
| 108          | 750      | 208          | 375      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

SUBTOTAL(1) (\$375.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       |        | Extra Claims |   | Fee from below |   | Fee Paid |  |
|--------------------|--------|--------------|---|----------------|---|----------|--|
|                    |        |              |   |                |   |          |  |
| 55                 | -20**= | 35           | X | 9.00           | = | 315.00   |  |
| 9                  | -3**=  | 06           | X | 42             | = | 252.00   |  |
| Claims             |        |              |   |                |   |          |  |
| Multiple Dependent |        |              |   |                |   |          |  |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                          |
| 104          | 280      | 204          | 140      | Multiple dependent claims, if not paid                     |
| 109          | 84       | 209          | 42       | ** Reissue independent claims over original patent         |
| 110          | 18       | 210          | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL(2) (\$567.00)

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,250    | 147          | 2,250    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 400      | 216          | 200      | Extension for reply within second month                                    |          |
| 117          | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118          | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128          | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119          | 320      | 219          | 160      | Notice of Appeal   |          |
| 120          | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121          | 280      | 221          | 140      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142          | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143          | 460      | 243          | 230      | Design issue fee   |          |
| 144          | 620      | 244          | 310      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$)

## SUBMITTED BY

## Complete (if applicable)

Name (Print Type)  
(Attorney/Agent)

Jennifer L. Skord

Registration No.  
30,687

Telephone

919-286-8000

Signature

Jennifer L. Skord

Date

August 19, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**EXPRESS MAIL CERTIFICATE**

EXPRESS MAIL LABEL NUMBER: EV 334192413 US

Date of Deposit: August 19, 2003

First Named Inventor: Michael D. Ruff

For: Coated Dibasic Calcium Phosphate

I hereby certify that the following documents:

1. Utility Patent Application Transmittal (PTO/SB/05);
2. Fee Transmittal (PTO/SB/17);
3. Check in the Amount of \$942.00;
4. Declaration (PTO/SB/01)(2 pages);
5. 35 Pages of Specification with 55 Claims;
6. 26 Pages of Drawings (Figs. 1 – 26);
7. Express Mail Certificate; and
8. Acknowledgement Postcard.

are being deposited in a single envelope with the United States Postal Services "Express Mail" service under 37 C.F.R. 1.10 on the date indicated above and such envelope is addressed to:  
Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

TIM KROLL

(Name of Person Mailing Documents)



(Signature of Person Mailing Documents)